

IN THE MATTER OF THE PUBLIC ORDER EMERGENCY COMMISSION
PUBLIC INQUIRY INTO THE 2022 PUBLIC ORDER EMERGENCY

INSTITUTIONAL REPORT OF THE OTTAWA POLICE SERVICE

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Table of Contents

Contents

INTRODUCTION.....	3
STRUCTURE AND STATUTORY MANDATE OF THE OTTAWA POLICE SERVICE	3
a) Authorities and Responsibilities of a Municipal Police Service.....	3
b) Budget of the Ottawa Police Service	5
c) Provision of Policing Services in the National Capital Region	6
e) Specialty Units – POU & PLT	7
f) Use of Command Centres.....	8
OPS RESPONSE TO DEMONSTRATIONS AND USE OF INCIDENT COMMAND SYSTEM.....	9
a) OPS Response to Demonstrations	9
b) OPS Reliance on the Incident Command System (“ICS”).....	10
OPS AWARENESS OF AND RESPONSE TO FREEDOM CONVOY	11
a) Early Intelligence and Planning	11
b) Scope of the Freedom Convoy Events.....	12
c) Resources at OPS and OPS Policing Partnerships	17
OUTCOME AND COST OF FREEDOM CONVOY	19
a) Data Regarding Arrests and Impounded Vehicles	19
b) Data Regarding Financial Impact of Freedom Convoy on OPS	21

INTRODUCTION

1. This Institutional Report is being submitted pursuant to R. 51 of the Rules of Practice and Procedure for the Public Order Emergency Commission (the “Commission”) and addresses both the organizational structure and statutory mandate of the Ottawa Police Service (“OPS”) as well its response to the events of the occupation in Ottawa from January 28 through February 23, 2022 by members of the “Freedom Convoy 2022” group and other related groups (hereinafter collectively referred to as the “Freedom Convoy”).

2. In addition to providing the overall organizational context of OPS, the Commission has asked for this Report to specifically address the following:

- a. Jurisdictional understanding of OPS’ role in policing within the National Capital Region (“NCR”);
- b. OPS’ understanding and application of the Incident Command System (“ICS”) before and during the events of the Freedom Convoy;
- c. Data and context regarding the level of resources required and utilized at all stages of OPS’ response to the events of the Freedom Convoy;
- d. Data regarding the number and nature of complaints received by OPS in relation to the Freedom Convoy’s impact on the local community;
- e. Data regarding the number of impounded vehicles, arrests and charges laid throughout the events of the Freedom Convoy;
- f. Data regarding the costs incurred in relation to the OPS response to the Freedom Convoy.

3. In addition to the above, this Report will set out the OPS’ high-level perspective with respect to the planning OPS undertook as the Freedom Convoy approached the City of Ottawa and throughout its occupation of the City, and the challenges it encountered during that process.

STRUCTURE AND STATUTORY MANDATE OF THE OTTAWA POLICE SERVICE

a) Authorities and Responsibilities of a Municipal Police Service

4. Pursuant to s. 5(1) of the *Police Services Act* of Ontario¹, it is a municipality’s responsibility to provide police services through one of a variety of means, one of which is through the establishment of a municipal police force. Such policing services must be, pursuant to s. 4 of the *Police Services Act*, “adequate and effective” in accordance with the municipality’s needs and must, at minimum, include the following police services:

1. Crime prevention
2. Law enforcement
3. Assistance to victims of crime
4. Public order maintenance

¹ RSO 1990, c. P. 15

5. Emergency response

5. Where a municipality establishes a municipal police force, section 27 of the *Police Services Act* sets out that there shall be a police services board for the police force. A police services board's responsibilities are set out at s. 31 of the *Police Services Act*, and include the following:

- a. Appoint the members of the municipal police force;
- b. Generally determine, after consultation with the chief of police, objectives and priorities with respect to police services in the municipality;
- c. Establish policies for the effective management of the police force;
- d. Recruit and appoint the chief of police and any deputy chief of police, and annually determine their remuneration and working conditions, taking their submissions into account;
- e. Direct the chief of police and monitor his or her performance;
- f. Establish policies respecting the disclosure by chiefs of police of personal information about individuals;
- g. Receive regular reports from the chief of police on disclosures and decisions made under section 49 (secondary activities);
- h. Establish guidelines with respect to the indemnification of members of the police force for legal costs under section 50;
- i. Establish guidelines for dealing with complaints under Part V, subject to subsection (1.10);
- j. Review the chief of police's administration of the complaints system under Part V and receive regular reports from the chief of police on his or her administration of the complaints system.

6. A police services board is the legal employer of all members of the municipal police force and is responsible for the oversight of the police force to ensure that it is meeting its mandate to provide adequate and effective policing in the jurisdiction pursuant to section 4 of the *Police Services Act*. A police services board is prohibited, however, pursuant to s. 31(4) of the *Police Services Act* from directing the chief of police with respect to the specific operational decisions or day-to-day operations of the police force.

7. The duties of a Chief of Police are set out at s. 41(1) of the *Police Services Act* and include the following:

- a. In the case of a municipal police force, administering the police force and overseeing its operation in accordance with the objectives, priorities, and policies established by the board under subsection 31(1);
- b. Ensuring that members of the police force carry out their duties in accordance with this Act and the regulations in a manner that reflects the needs of the community, and that discipline is maintained in the police force;
- c. Ensuring that the police force provides community-oriented police services; and
- d. Administering the complaints system in accordance with Part V.

8. Finally, the *Police Services Act* grants municipally appointed police officers with the authority to exercise their powers and duties throughout Ontario ascribed to a police officer at common law. The duties of a police officer are set out at s. 42(1) of the *Police Services Act*, and include the following:

- a. Preserving the peace;
- b. Preventing crimes and other offences and providing assistance and encouragement to other persons in their prevention;
- c. Assisting victims of crime;
- d. Apprehending criminals and other offenders and others who may lawfully be taken into custody;
- e. Laying charges and participating in prosecutions;
- f. Executing warrants that are to be executed by police officers and performing related duties;
- g. Performing the lawful duties that the chief of police assigns;
- h. Enforcing municipal by-laws; and
- i. Completing the prescribed training.

9. Municipal police officers are empowered with the discretion to enforce and uphold the law within the confines of the lawful orders of their superiors and the confines of any applicable legislation and/or common law rules. Municipal police officers engage predominantly in the enforcement of the *Criminal Code of Canada*; however, are empowered to enforce a variety of legislation applicable to the citizens of the province of Ontario and, in the case of OPS, the City of Ottawa.

b) Budget of the Ottawa Police Service

10. It is the municipality's responsibility to establish an appropriate budget for the police force consistent with its duty to ensure that adequate and effective policing is provided in the municipality. Pursuant to s. 39 of the *Police Services Act*, a police services board shall submit an estimate to municipal council setting out the amounts required to adequately maintain the police force, as well as the board's individual operating costs, and the municipal council is tasked with setting an overall budget on the basis of those estimates. Although the council is not permitted to interfere with itemized estimates, it has authority to reduce the overall budget amount requested by the board.

11. In 2021, the Ottawa Police Services Board (the "Board") requested a budget increase of 2.86% for the 2022 operating budget. This proposal represented a 0% increase to base budget; the increase was attributable to specific increases in compensation, inflation, and the removal of a revenue stream². Ottawa's city council approved a budget increase for 2022 of only 2%, which represents a total budget for 2022 of approximately \$385 million, representing approximately 9.3%

² <https://www.ottawapolice.ca/en/news-and-community/resources/Budget/2022-Budget-Book-for-posting-to-internet.pdf>

of the overall municipal budget³. Further, as a result of budgetary constraints, OPS was required to institute a hiring freeze for 2021. At the time of the events of the Freedom Convoy, OPS had 1479 sworn officers, down from the 1481 in 2021.

c) Provision of Policing Services in the National Capital Region

12. OPS is a municipal police service established by the City of Ottawa to police the municipality. The City of Ottawa, however, is a municipality with multi-jurisdictional policing responsibilities, particularly given its status as the capital of Canada. OPS has key partnerships with the Royal Canadian Mounted Police (“RCMP”), the Ontario Provincial Police (“OPP”), the Parliamentary Protective Service (“PPS”), and the City of Ottawa.

13. Notwithstanding their geographic location within the City of Ottawa, there are several roads and lands of federal jurisdiction which are overseen and cared for by the National Capital Commission (the “NCC”) rather than the City of Ottawa and, for any such lands or roads, the RCMP are the police of jurisdiction. Such federal lands/roads would include, for example, the Queen Elizabeth Parkway, the Sir John A MacDonald Parkway, and Confederation Park, all of which were, *inter alia*, impacted by the Freedom Convoy. Policing of these federal lands and roads falls to the RCMP; more specifically, RCMP is responsible for responding to and investigating any criminal matters stemming from traffic related incidents on federal roads. The RCMP is also responsible for policing related to matters at key federal buildings such as embassies and the Supreme Court of Canada.

14. Similarly, the OPP are the police of jurisdiction for any provincial roads in the City of Ottawa which, most relevantly, would include Highway 417, which runs through the downtown core of the City of Ottawa. The OPP is responsible for traffic patrol of these provincial roadways and works collaboratively with OPS to address criminal conduct occurring on these roadways.

15. The PPS is responsible for all security services in the Parliamentary Precinct in Ottawa, which includes the grounds of Parliament Hill. PPS officers, however, do not have jurisdiction to lay criminal charges and, as such, where criminal investigations arise in the Parliamentary Precinct, OPS will typically be contacted to take the lead in that regard. The Parliamentary Precinct does not currently include Wellington Street and, as such, OPS has jurisdiction over Wellington Street.

16. Finally, OPS is integrally partnered with the City of Ottawa and its other municipal service providers including, *inter alia*, Emergency and Protective Services, Ottawa Fire Services, and Ottawa Paramedic Service. During a crisis, all key municipal service providers form an integrated response led by whichever agency holds the key subject matter expertise in the context of the specific nature of the crisis. Where, for example, the crisis is one primarily of public safety, OPS will be the lead agency.

³ <https://ottawa.ca/en/city-hall/budget-finance-and-corporate-planning/2022-budget-highlights#section-4f74ce8c-8a44-4df8-8e94-d5b2184c5f4d>

d) Organizational Structure of the Ottawa Police Service

17. OPS is divided into various directorates⁴. The Directors of Strategy & Communications, Legal Services, and the Respect, Values & Inclusion Directorate report directly to the Chief of Police. The Corporate Support Command is overseen by the OPS Chief Administrative Officer reporting ultimately to the Chief of Police. The majority of direct policing operations falls under the Intelligence, Information & Investigation Command and the Community Policing Command, the oversight of which is divided amongst the two deputy chiefs, with ultimate oversight falling to the Chief of Police. The Intelligence, Information & Investigation Command encompasses, as suggested by the name, the Investigations Directorate, Intelligence Directorate and Information Directorate. The Community Policing Command encompasses the Frontline Policing Directorate, the Neighborhood Policing Directorate and the Specialized Policing Directorate.

18. At the time the events of the Freedom Convoy commenced, and the pre-planning for those events occurred, Peter Sloly was the Chief of Police at OPS. Deputy Chief Patricia Ferguson was the Deputy Chief responsible for oversight of the Community Policing Command. Included in this Command is the Specialized Policing Directorate overseen by Superintendent Rheaume, under which the Special Events unit can be found. Staff Sergeant Kevin Kennedy was the supervising officer of Special Events, reporting to Inspector Russell Lucas as officer in charge of oversight of the Operations Support Branch under which Special Events was captured.

19. At this time, then Deputy Chief Steve Bell was responsible for oversight of the Intelligence, Information & Investigations Command. Under his command, the Intelligence Services Branch was overseen by Superintendent Mark Patterson, under which the officer in charge was Inspector Kenneth Bryden reporting.

20. On February 15, 2022, then Chief Sloly resigned as Chief of Police of OPS and then Deputy Chief Steve Bell was appointed as Interim Chief of Police, a position he has held since that date.

e) Specialty Units – POU & PLT

21. OPS has approximately 100 Public Order Unit (“POU”) officers, 90 of whom are sworn police officers and 10 of whom are special constables. POU officers are used to proactively manage crowds to maintain or restore order. Special Constables are trained but have a supporting function as drivers and prisoner transport and are not deployable on the actual front line of a public order unit. In addition, the OPS’ POU is a police-led multi-agency unit, with specialized training alongside Ottawa Paramedic Service members and Ottawa Fire Service members embedded in the team as supporting elements.

22. POU training is consistent with that of policing agencies across in Ontario, which includes a week-long mandatory basic training course covering: PPE; scenarios; directions and orders; structure of public order; and exposure to all levels of public order environments, arrest and legal authorities. Some POU members may become certified to have specialized skills within the team, forming their own sub-units to support the public order section and its

⁴ OPS00014559

mandated functions. POU sub-units include Obstruction Removal (supported by Fire Services), Less Lethal Operators, and Section Commanders. Members of these sub-units receive additional initial basic training and ongoing annual training for these functions, in addition to their regular POU training.

23. In addition, OPS has 15 trained Police Liaison Team (“PLT”) members. PLT training is hosted by the Canadian Association of Chiefs of Police (“CACP”) and the work of the OPS PLT is guided by the guidelines published by the CACP in the National Framework for Police Preparedness for Demonstrations and Assemblies⁵ (the “Framework”). All OPS PLT members have attended the CACP training and are highly familiar with the Framework. PLT is utilized to, in accordance with the Framework,:

- a. Focus on proactive relationship building as a means to assist in resolving issues and work to establish and maintain open and transparent lines of communication with all stakeholders who might be affected, directly or indirectly, by major events;
- b. Provide specialized support to build relationships of trust, mutual understanding and respect between police and all stakeholders;
- c. Locate individuals of influence to work with throughout the cycle of conflict;
- d. Apply effective negotiation and mediation techniques and strategies to facilitate timely response to issue-based conflict; and
- e. Provide specialized support and expertise in establishing and maintaining open and transparent pre-event, event, and post-event lines of communication with all stakeholders to facilitate prevention and/or response to conflict.⁶

24. The Framework advises against utilizing PLT members for any role other than that of PLT during the course of an event and, in particular, advises against the use of PLT for enforcement purposes.

f) Use of Command Centres

25. OPS engages three command centres for the purposes of, *inter alia*, planning and responding to special events. The OPS Command Centre replaced the OPS Strategic Operations Centre which was created in 2015 to serve as an oversight and support hub for OPS policing operations that would operate 7 days per week, 20 hours per day. In late 2021, it was renamed the OPS Command Centre and elevated to an information and intelligence hub and decision-making centre. During the events of the Freedom Convoy, the OPS Command Centre was utilized to enhance situational awareness and conduct social media monitoring.

26. The Service Command Centre (the “SCC”) is activated and staffed in response to an extraordinary incident that requires the appointment of an Incident Commander. The SCC is a facility within the OPS building with the resources required to support operations and maintain business continuity for unrelated police operations. During the events of the Freedom Convoy,

⁵ COM00000666

⁶ *Ibid* at pg. 10

the SCC was utilized to facilitate staffing, logistics, procurement, planning, organizational tasks, and briefings for OPS' response to the Freedom Convoy.

27. The National Capital Region Command Centre ("NCRCC") is a space within a local RCMP facility that functions as a command post in extraordinary events. It operates as an operational hub wherein partner agencies work collaboratively in an integrated manner to respond effectively to the event. Partners may include, for example, RCMP, OPP, PPS, NCC, Ottawa Fire Service, Ottawa Paramedic Service, and City of Ottawa representatives.

OPS RESPONSE TO DEMONSTRATIONS AND USE OF INCIDENT COMMAND SYSTEM

a) OPS Response to Demonstrations

28. As the police of jurisdiction within the NCR, OPS has extensive experience managing and planning for demonstrations, protests, and special events. More specifically, the City of Ottawa experiences, on average, approximately 100 protests or demonstrations annually. These demonstrations range vastly in size, ideology, level of cooperation with the police, and level of disruption to the City. Substantial events of note include, *inter alia*, the following:

- a. Various Farmers' Demonstrations including those in 2006 and 2016 involving the use of tractors and other farm machinery to block Wellington Street in front of Parliament Hill;
- b. Occupy Ottawa demonstration occupying Confederation Park in 2011 requiring the forcible removal of occupiers by way of arrests;
- c. The Tamil Protest in 2009 resulting in the full closure of Wellington Street for a period of approximately several weeks and involving approximately 30,000 protestors at its peak;
- d. Pipeline Trucker Demonstration in February 2019 involving a convoy of trucks parking on Wellington Street for two days after which time the trucks voluntarily left the City;
- e. Annual Canada Day celebration events including Canada 150 which attracted hundreds of thousands of visitors to the downtown core of Ottawa; and
- f. 2016 North American Leaders Summit.

29. The OPS respects the rights and fundamental freedoms guaranteed by the *Canadian Charter of Rights and Freedoms* including freedoms of expression, peaceful assembly, and peaceful association. In accordance with those fundamental freedoms, lawful protests and demonstrations are permitted and facilitated by OPS.

30. In advance of a protest or demonstration, OPS encourages organizers⁷ to contact police to facilitate advance planning in partnership with OPS. OPS deploys PLT members to build a relationship with organizers, gather information regarding what can be expected from protesters, and assist in negotiating with organizers to facilitate an operational plan which allows for maintenance of public safety, limits any disruption to traffic and/or City services, and weighs those needs with the objectives of organizers.

31. The Special Events department at OPS is responsible for operational planning related to protests, demonstrations, and other events. Special Events works in tandem with Intelligence, as required, as well as PLT, to gather necessary information relating to the organizers' intentions and objectives and the likely scope and impact of the event. In response, Special Events will draft an operational plan which is responsive to those factors and which limits any such impact. Operational plans may include such components as traffic, public order, mass arrest, and various other elements depending on the anticipated nature and scope of the event. Traffic plans will aim to weigh the objectives of the protestors pursuant to their *Charter* right to lawful protest with the anticipated traffic disruptions and, where appropriate, adopt mitigating strategies such as the implementation of staging areas, the direction of protestors to specific non-residential routes, and ensuring ingress and egress routes.

32. Notwithstanding its experience with several protests involving the use of vehicles, including large trucks and tractors, OPS has never previously prohibited access to an intended protest site. Further, Wellington Street is very frequently the intended protest site for organizers of demonstrations and protests given its proximity to Parliament Hill.

33. As an event approaches, Special Events will work with the Corporate Communications Branch and PLT, as well as with municipal, community, business and policing partners as required to ensure all elements of the operational plan can be safely and effectively implemented, and that necessary information regarding the event is properly communicated.

b) OPS Reliance on the Incident Command System (“ICS”)

34. At its most basic level, the ICS framework contemplates a “Command Triangle” with the Incident Commander at the top of the triangle and PLT and POU as the right and left bases of the triangle. An Incident Commander is responsible for the operation and receives advice from PLT regarding negotiation options on the one hand, and from POU regarding tactical options on the other hand. The goal in an operation is to de-escalate through the use of PLT and negotiate and, where those options have been safely exhausted, a tactical resolution may be required.

35. The command structure will expand, as appropriate, depending on the scope of the command event. There are three levels to the ICS; namely, responsibilities are divided into strategic, operational, and tactical decision-making. The Incident Commander is responsible for directing all tactical operations relating to the event. An Event Commander, where appropriate,

⁷ <https://www.ottawapolice.ca/en/safety-and-crime-prevention/Demonstrators.aspx>

oversees the event and directs operations strategy. Finally, in the context of major events, a Major Incident Commander may be appointed which provides overall strategic direction.

36. In the context of the events of the Freedom Convoy, Inspector Russell Lucas, as officer in charge of Special Events, became the Incident Commander for the event. Superintendent Rheume, as his commander, became the Event Commander. As the event grew, Deputy Chief Ferguson, as Deputy Chief responsible for the relevant Directorate, became the Major Incident Commander and took on the role of overall strategic oversight for the event. On February 4, 2022, Superintendent Dunlop replaced Superintendent Rheume as Event Commander. On February 6, 2022, Superintendent Mark Patterson replaced Superintendent Dunlop as Event Commander. On February 10, 2022 Superintendent Robert Bernier replaced Superintendent Patterson as Event Commander.

OPS AWARENESS OF AND RESPONSE TO FREEDOM CONVOY

a) Early Intelligence and Planning

37. OPS first became aware of a group of truckers referring to themselves as the “Freedom Convoy” by way of the January 13, 2022 Project Hendon report authored by the OPP⁸ and distributed by the OPP to Superintendent Drummond, Inspector Elves and then Chief Sloly. Thereafter on the same date, the January 13 Hendon report was shared with various members of the Intelligence and Special Events directorates. On the following date, the January 13 Hendon report was specifically forwarded to Inspector Kenneth Bryden, the officer responsible for oversight of the Intelligence Directorate. The January 13 Hendon Report indicated that⁹ “information shared through social media networks indicates some of the participants of this action may be mobilizing from across the country to arrive in Ottawa for a mass anti-government protest calling for an end to all COVID-19 mandates”. While the January 13 Hendon Report identified the possibility of a disruptive convoy, it notes only unconfirmed information regarding scope of participants and no timeline for the event.

38. As a result of its monitoring of the potential Freedom Convoy events, OPS identified on or around January 18, 2022, that a coordinated OPS effort involving the Special Events and Intelligence Directorates would be required to begin preparing for the possible arrival of the Freedom Convoy. At this time, there was limited information available regarding the number of participants and their intentions in relation to their attendance in Ottawa. Through its initial planning, OPS prepared as it typically would in response to an event. OPS began outreach both to Convoy organizers, through the use of PLT members, and to its policing partners in other jurisdictions that had experience with the Convoy as it began its travels.

39. On the basis of the information available at that time and consistent with OPS’ usual approach to operational planning relating to incoming protests and demonstrations, the Special Events team’s primary focus in its planning at this time was that of traffic management in order to minimize the event’s impact on the city, maintain emergency lanes accessible, and maintain public safety. An initial operational plan, dated January 26, was drafted which reflected this

⁸ OPP00001339

⁹ *Ibid* at pg. 1.

approach¹⁰. This plan was written by a veteran planner, Staff Sergeant Kennedy, and reviewed and approved by Inspector Lucas.

40. In the interim, however, the narrative began to shift with respect to the scope and attitude of the demonstration. This narrative shift was observed both through OPS' monitoring of social media as well as through its review of subsequent Hendon reports. Factors such as the significant level of fundraising the Freedom Convoy had been able to accomplish in a very short period of time, the growth in the online interest in the Freedom Convoy, and the increasingly hostile anti-government narrative projected by the Freedom Convoy and its followers, informed the Special Events team's decision to substantially alter its operational plan. The new operational plan, dated January 28, 2022¹¹, was far more robust in order to be responsive to the concerns presented by the developing intelligence.

41. The January 28 plan contains a detailed traffic plan aimed at limiting disruptions to the community while respecting the protestors' constitutional freedoms. Additionally, the January 28 plan builds in a variety of contingency elements to respond to the prospect of critical incidents, violence, and other significant disruptions.

b) Scope of the Freedom Convoy Events

42. Although social media was one source of assessing the likely turnout at the events of the Freedom Convoy, social media is often not a reliable source of information as it relates to actual number of participants in an event. OPS has repeatedly seen examples of highly popular events on social media which, in reality, attracted very few participants. Confirmed information relating to the number of protestors was very limited. This was due, in part, to the fact that the numbers associated with those convoys travelling from a lengthy distance fluctuated considerably and that many of the convoys were travelling from only a short distance and began travelling between January 27-29, 2022.

43. The Hendon Report of January 26, only two days prior to the first arrival of convoy, the OPP provided an estimated vehicle count of 471 vehicles inclusive of both commercial vehicles and passenger vehicles¹². The day prior to the first arrival of convoys, January 27, the Hendon Report noted a total vehicle count of 551 vehicles and indicated: "Obtaining reliable counts for vehicles in these convoys is challenging due to factors including multiple convoys; road conditions and closures delaying or diverting portions of different convoys; convoys splitting up; staggered departure times; and vehicles joining and leaving the convoys at different points as it is moving"¹³. On January 28, the date that the events of the Freedom Convoy began in Ottawa, the Hendon Report provided an estimate of 1352 vehicles¹⁴, a number which was far less than the number of vehicles that ultimately arrived throughout the first weekend of the Freedom Convoy.

¹⁰ OPP00004261

¹¹ OPS00004221

¹² OPP00000811 at pg. 1

¹³ OPP00000813 at pg. 1

¹⁴ OPP00000815 at pg. 1

44. In actuality, thousands of vehicles descended on Ottawa for the first three days of the Freedom Convoy events. The following sets out an estimation of individual protestors and vehicles present in the downtown core during throughout the events. The data is imprecise in light of the fluidity of the circumstances; however, the unprecedented scope of the event is indisputable.

Date	Parliament	Wellington / Elgin / Rideau / Sussex	Other	Vehicles
29-Jan	5 - 6,000	5 - 6,000		Thousands
30-Jan	300	1,000	700	Thousands
31-Jan	50	200		Thousands
1-Feb	50	2 - 300		676
2-Feb	20	2 - 300		481
3-Feb	20	2 - 300		500
4-Feb	20	4 - 500		500
5-Feb	1,500 - 2,000	1,500 - 2,000	Several Thousand	500
6-Feb	0	250 - 300		500
7-Feb	20-Oct	3 - 400		418
8-Feb	<10	2 - 300		420
9-Feb	<10	100 - 200		505
10-Feb	<10	2 - 300		<500 + 50-100 at Jetform Park
11-Feb	<20	5 - 600	100 "Jericho" March	Status Quo + 10 - 15 Slow Roll
12-Feb	5 - 6,000	4 - 5,000	300 Counter Protest	500 + 100 left from Montreal
13-Feb	100	2,000	2 - 300 Counter Protest	Status Quo + 60 Convoy

14-Feb	10	1 - 200		230, downtown core
15-Feb	<20	150		357, not including Wellington
16-Feb	<20	3 – 400		450 (only drop of 50 since announcement)
17-Feb	<20	3 – 400		Some leaving
18-Feb	0	<100		237
19-Feb	<10	100 - 150		55
20-Feb	0	0	1 group at Confederation Park	6
21-Feb			Handful at SJAM and Booth	
22-Feb			Some tried to access Cenotaph	
23-Feb		0		<100 outside town

45. In addition to the imposing physical nature of the exceptional number of vehicles that attended the city to participate in the Freedom Convoy, the behaviour of Freedom Convoy participants presented a considerable impact on members of the local community. OPS' Communications Centre received a total of 48,258 emergency calls during the period January 29, 2022 and February 27, 2022. Some of the more frequent calls to the Communications Centre during this time included:

- a. For directions because roads are blocked, and they couldn't cross bridges to get to Quebec;
- b. From businesses to have protestors removed for entering their businesses without a mask;
- c. To complain about being harassed while walking on the streets with masks on, and being sexually harassed or threatened;
- d. To ask for information about road blockages; and
- e. To ask questions regarding the OPS' enforcement plans regarding the protestors.

46. The OPS Police Reporting Unit received many other types of unusual complaints from the public that included:

- a. Death threats to the Prime Minister and Chief of Police;
- b. Tips as to upcoming plans protestors had;
- c. Noise complaints;
- d. Non-compliance complaints regarding the number of persons within a business; and
- e. Requests for charges against the Prime Minister, against the protestors, and/or against the police.

47. Additionally, at times where OPS was undertaking more significant enforcement actions as it relates to protestors, the Communications Centre would receive an extensive number of calls of an offensive and/or harassing nature from protestors or their sympathizers including, for example, comments as follows:

- a. The police force has become a fu*king Nazi department
- b. Police are Nazi's
- c. Ottawa communists, you stupid fu*king bullshitters
- d. Aren't you gonna arrest me for tying up your phones, come and get me. Come and get me you communists. You communist c*nt.
- e. Is this the same dumb communist c*nt b*tch answering the phones

48. The following table provides a comparison between the total number of telephone calls made to 9-1-1 and OE during the Convoy and the same period in 2019 (prior to COVID-19).

Dates of Telephone calls	9-1-1 2022 vs 2019	OE 2022 vs 2019
Jan. 29	990/962	605/578
Jan. 30	747/783	436/439
Jan. 31	821/763	814/523
Feb. 1	845/788	649/561
Feb. 2	790/849	540/557
Feb. 3	786/662	705/502
Feb. 4	936/830	709/627
Feb. 5	1,028/737	721/454
Feb. 6	763/642	723/400
Feb. 7	819/748	1,274/493
Feb. 8	749/659	915/498
Feb. 9	808/757	1,067/519
Feb. 10	753/841	683/649
Feb. 11	866/934	764/595
Feb. 12	1,039/826	696/521
Feb. 13	845/735	523/406
Feb. 14	853/607	576/441
Feb. 15	803/894	615/578

Feb. 16	809/660	654/582
Feb. 17	949/697	807/506
Feb. 18	1,092/801	1,673/598
Feb. 19	1,040/796	1,512/476
Feb. 20	890/743	1,080/433
Feb. 21	720/825	695/616
Feb. 22	779/712	780/488
Feb. 23	808/684	593/537
Feb. 24	913/732	663/575
Feb. 25	924/846	714/525
Feb. 26	856/786	439/420
Feb. 27	792/678	413/425

49. The following table provides a comparison between the total number of telephone calls offered daily between 10:00 to 20:45 and reports handled by the Police Reporting Unit from January 29, 2022, to February 28, 2022. The data captured below is the same period in 2019 (prior to COVID-19).

Date	Total Calls 2022 vs 2019	Reports 2022 vs 2019
Jan. 28	452/280	105/101
Jan. 29	410/164	71/77
Jan. 30	409/163	55/54
Jan. 31	582/271	120/106
Feb. 1	585/290	104/86
Feb. 2	792/248	139/93
Feb. 3	681/257	137/69
Feb. 4	795/270	131/87
Feb. 5	693/177	95/69
Feb. 6	805/152	66/55
Feb. 7	1,745/270	117/92
Feb. 8	1,110/275	131/95
Feb. 9	766/286	122/98
Feb. 10	736/246	138/95
Feb. 11	626/277	127/108
Feb. 12	535/153	90/67
Feb. 13	337/154	73/50
Feb. 14	491/288	99/112
Feb. 15	448/269	111/98
Feb. 16	593/213	108/77
Feb. 17	696/298	109/127
Feb. 18	1,416/272	112/111
Feb. 19	1,535/184	70/110
Feb. 20	1,221/150	80/48
Feb. 21	879/190	84/63
Feb. 22	648/282	119/114
Feb. 23	480/318	91/101
Feb. 24	442/276	124/107

Feb. 25	441/298	112/119
Feb. 26	294/196	71/73
Feb. 27	220/150	56/60

c) Resources at OPS and OPS Policing Partnerships

50. At the time of the events of the Freedom Convoy, OPS had 1,155 sworn members (inclusive of all ranks) available for deployment. Of those members, 599 were front line officers available for operational duties. In order to supplement this number in light of the extraordinary demands of the events of the Freedom Convoy, OPS was required to draw on all members (sworn and civilian), including those not working in a front-line capacity, and deploy them in a front-line operational capacity. OPS maintained the minimum number of officers required in order to maintain adequate basic policing levels throughout the City; however, all other resources were drawn upon in the response to the Freedom Convoy. These resources were not sufficient to adequately respond to the size and scale of the event.

51. Prior to the arrival of the Freedom Convoy, OPS already experienced inadequate staffing to meet the significant policing demands of a city of Ottawa's population, geographic region, and complexity as the NCR. This staffing was further taxed by the COVID-19 pandemic and, at the time of the Freedom Convoy, OPS had entered a "reserve staffing" model during what was the sixth wave of the pandemic. Further, as set out above, OPS had been experiencing significant staffing shortages for several years prior to the Freedom Convoy as it continuously manages an insufficient budget amidst local deliberations around defunding the police. In 2021, OPS experienced an unprecedented number of vacancies and, in light of budgetary constraints, no sworn officers were hired in 2021 to compensate for the attrition rates.

52. At the time of the Freedom Convoy, OPS was in the midst of a significant increase of crime (ultimately the data reflects a 25% increase in crime through the first half of 2022), a 6% increase in calls for service compared to the previous year, and what is anticipated to be the highest call volumes since 2012. In the face of these demands, and the inadequate staffing levels, OPS struggles to maintain the adequate level of frontline officers per shift. In light of these challenges, OPS clearance rates for calls for service have declined by 6% over the last seven years, and OPS is not meeting its goal to respond to Priority 1 emergency calls for service within 15 minutes 95% of the time. Rather, in 2022 thus far, this performance standard has been achieved only 89% of the time. Subsequent to the Freedom Convoy, OPS has created a strategic staffing plan to address gaps; however, the OPS reality at the time of the Freedom Convoy was that of substantial resource challenges.

53. As evidenced by a chart published by Statistics Canada¹⁵ in 2019, OPS was at that time the least resourced of all municipal police services in Ontario serving a population of at least 100,000 in terms of the per capita number of sworn officers. Notably, this lack of resources exists notwithstanding OPS' unique responsibilities related to its status as police of jurisdiction

¹⁵ See "Table 5 Municipal police services serving a population of 100,000 or more, Canada, 2009" attached hereto as **Appendix A**.

in the NCR, including those responsibilities relating to protests and demonstrations on issues of national concerns, and the vast geographic area over which OPS is responsible.

54. In light of the above, OPS was vastly under resourced to manage the overwhelming demands accompanied by the events of the Freedom Convoy. OPS was, however, able to receive considerable support from a multitude of other policing agencies. The NCRCC was stood up at the outset of the Freedom Convoy where OPS, as lead agency, worked in tandem with municipal, provincial and federal partners. OPP POU officers were made available, as was OPP intelligence support, at the outset of the Freedom Convoy and throughout the events.

55. Throughout the events, OPS relied on a multitude of policing partners to assist in its response. Ultimately, when the final operation occurred, thousands of additional officers from across the country were required to operationalize the unified operational plan¹⁶ implemented by OPS, OPP and RCMP. The details of these extensive resources are illustrated as follows:

Regular Members	
Federal	
Royal Canadian Mounted Police	1,015
Municipal	
Brantford Police Service	8
Cornwall Police Service	16
Durham Regional Police Service	24
Guelph Police Service	6
Halton Regional Police Service	30
Hamilton Police Service	36
Kingston Police Service	9
Peel Regional Police	30
Smith Falls Police Service	2
St. Thomas Police Service	6

¹⁶ OPS00013798

Toronto Police Service	17
Waterloo Regional Police Service	44
York Regional Police	42
Provincial	
Ontario Provincial Police	948
Total	2,223

56. In addition to its policing partners, the OPS worked closely with its municipal partners throughout the event. Multiple representatives of municipal emergency services agencies were embedded in the NCRCC and assisting in an integrated operational response. Additionally, OPS Legal Services consulted regularly with City of Ottawa Legal Services on various issues. Amongst those issues was the prospect of the City seeking an injunction in relation to the unlawful conduct of protestors. After such initial consultations regarding the possible merits of an injunction on January 30 and January 31, City Solicitor David White wrote to OPS Legal Services on February 4, 2022 with a series of specific questions relating to the injunction. Although OPS did not respond in writing, these issues were canvassed verbally through the numerous subsequent discussions that occurred between OPS Legal Services and City Legal Services. More specifically, OPS Legal Services spoke to City Legal Services, as well its external counsel, in relation to the injunction on February 8, 9, 10 and 11. Additionally, OPS and City leadership spoke regularly about various operational matters, which included the possibility of a City injunction.

57. Ultimately, the City proceeded with an injunction application which was granted on February 14, 2022. OPS worked with the City to provide input on the draft police enforcement order language in the injunction order, and also identified a possible affiant for which a draft affidavit had been prepared; however, the affidavit ultimately was not required by the City.

OUTCOME AND COST OF FREEDOM CONVOY

58. The events of the Freedom Convoy lasted from January 28, 2022 through February 20, 2022 – 24 days¹⁷. Through the extraordinary efforts of a multitude of policing agencies across Canada, the entirety of the demonstration was able to be removed in a methodical and highly organized fashion, resulting in no serious injuries to police and/or protestors.

a) Data Regarding Arrests and Impounded Vehicles

¹⁷ OPS Chronology of Events Relating to Freedom Convoy attached hereto as **Appendix B**.

59. During the period of January 28, 2022 and March 31, 2022, 533 separate criminal charges were laid against 140 individuals arising out of the Freedom Convoy. Attached as **Appendix C**, is a chart detailing the breakdown of specific criminal charges per relevant date. By way of aggregate, however, the following sets out the total number of arrests per relevant date:

Total Arrests from Convoy Protest	
Date	Total
28-Jan	1
29-Jan	2
30-Jan	1
1-Feb	1
3-Feb	2
6-Feb	6
7-Feb	2
8-Feb	1
9-Feb	5
11-Feb	2
12-Feb	3
13-Feb	1
14-Feb	2
17-Feb	3
18-Feb	111
19-Feb	150
20-Feb	12
21-Feb	3
25-Feb	1
12-Mar	1
Total	310

60. Additionally, police towed and impounded 110 vehicles in the final days of the Freedom Convoy event. Those seeking to retrieve their vehicle were required to attend at the OPS station located at 474 Elgin Street with a valid driver's license and proof of consent to operate the vehicle on behalf of the owner, if applicable, followed by receipt of a vehicle release form to be provided to the location the vehicle was towed.

b) Data Regarding Financial Impact of Freedom Convoy on OPS

61. OPS incurred a total of more than \$55 million in costs associated with policing the Freedom Convoy. These costs include, *inter alia*:

- a. Costs associated with regular, overtime and statutory holiday hours for OPS members;
- b. Costs associated with provision of direct supports to the City of Ottawa and loss of revenues and economic support through the City of Ottawa;
- c. Payments to external policing agencies for surge capacity resources; and
- d. OPS operational supplies, equipment, leased space and vehicle costs.

SCHEDULE A



Statistics
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Home > 85-002-X > Juristat > Main page

Table 5

Municipal police services serving a population of 100,000 or more, Canada, 2019

Municipal police services ¹	2018 population ²	Police officers ³				Hires ⁶	Departures ⁶	Net gain or loss: hiring and departures ⁶	Police officers eligible to retire ⁶
		2019 number of police officers	2019 police officers per 100,000 population ⁴	Percentage change from previous year ⁵	2019 Percentage of female officers				
		number	rate	percent					
Toronto Police Service, Ont.	2,956,024	4,790	162	-3	19	214	294	-80	9
Montréal Police Service, Que.	2,029,374	4,295	212	-5	33	139	172	-33	13
Peel Regional Police Service, Ont.	1,404,628	2,022	144	1	19	116	74	42	3
Calgary Police Service, Alta.	1,311,833	2,123	162	6	27	68	64	4	0
York Regional Police, Ont.	1,150,672	1,543	134	3	20	131	75	56	5
Ottawa Police Service, Ont.	1,007,501	1,223	121	-1	22	71	47		6

Edmonton Police Service, Alta.	1,004,947	1,885	188	0	20	91	70	21	7
Winnipeg Police Service, Man.	753,674	1,405	186	2	16	22	41	-19	8
Durham Regional Police Service, Ont.	683,604	904	132	3	20	61	41	20	7
Vancouver Police Department, B.C.	678,308	1,330	196	-1	26	37	48	-11	9
Halton Regional Police Service, Ont.	580,014	714	123	5	22	50	34	16	6
Waterloo Regional Police Service, Ont.	579,145	757	131	-1	22	31	37	-6	8
Québec City Police Service, Que.	578,781	719	124	-1	27	34	24	10	3
Surrey, B.C. (RCMP)	568,158	798	140	2	21	69	23	46	6
Hamilton Police Service, Ont.	567,979	x	x	x	x	x	x	x	x
Niagara Regional Police Service, Ont.	472,448	720	152	2	17	38	21	17	7
Laval Police Service, Que.	432,858	586	135	1	31	0	24	-24	9
Longueuil Police Service, Que.	421,842	611	145	0	35	20	35	-15	6
London Police Service, Ont.	414,959	590	142	-3	22	19	26	-7	7

Gatineau Police Service, Que.	282,596	393	139	-1	23	44	8	36	3
Saskatoon Police Service, Sask.	268,188	465	173	0	23	5	8	-3	8
Halifax Regional Police, N.S. ⁷	253,841	530	209	-1	20	15	13	2	11
Burnaby, B.C. (RCMP)	248,071	292	118	1	22	27	4	23	9
Regina Police Service, Sask.	233,170	397	170	-1	24	7	12	-5	3
Windsor Police Service, Ont.	229,787	471	205	11	17	55	24	31	8
Richmond, B.C. (RCMP) ⁸	209,838	245	117	7	21	34	2	32	7
Richelieu-Saint-Laurent Police Service, Que.	209,246	214	102	2	26	44	46	-2	6
St. John's, N.L. (RNC)	208,289	335	161	3	30	43	15	28	16
Greater Sudbury Police Service, Ont.	168,141	261	155	0	18	10	4	6	7
Sherbrooke Police Service, Que.	166,863	209	125	3	24	18	8	10	8
Langley Township, B.C. (RCMP) ⁹	156,931	208	133	2	26	18	5	13	10
Abbotsford Police Department, B.C.	153,866	214	139	3	19	20	9	11	5

Coquitlam, B.C. (RCMP)	149,450	171	114	4	27	17	7	10	9
Saguenay Police Service, Que.	148,053	187	126	0	22	0	6	-6	7
Barrie Police Service, Ont.	147,685	240	163	3	18	8	11	-3	3
Lévis Police Service, Que.	146,080	155	106	0	24	6	6	0	12
Guelph Police Service, Ont.	140,683	201	143	2	21	11	8	3	11
Terrebonne Police Service, Que.	140,301	171	122	1	29	17	17	0	1
Kelowna, B.C. (RCMP)	138,513	196	142	2	26	9	4	5	10
Trois-Rivières Police Service, Que.	136,857	161	118	3	22	10	6	4	2
Kingston Police Service, Ont.	132,943	205	154	0	20	8	10	-2	13
Codiac Regional, N.B. (RCMP)	122,988	143	116	0	19	7	8	-1	20
Saanich Police Department, B.C.	121,032	151	125	-4	21	5	8	-3	5
Thunder Bay Police Service, Ont.	118,253	242	205	8	16	5	13	-8	7
Victoria Police Department, B.C.	110,916	238	214	-1	25	14	15	*	10

Roussillon Regional Police Service, Que.	110,144	115	104	0	28	12	17	-5	6
Delta Police Department, B.C.	109,674	159	145	-1	21	15	6	9	16
Chatham-Kent Police Service, Ont.	105,445	164	156	1	16	9	11	-2	9
Brantford Police Service, Ont.	104,978	187	178	5	14	13	8	5	1
Red Deer, Alta. (RCMP)	104,493	173	166	-3	24	3	2	1	6

x suppressed to meet the confidentiality requirements of the *Statistics Act*

- 1 Refers to the municipal stand-alone police services and municipalities policed by the Royal Canadian Mounted Police (RCMP) that have a population of 100,000 or more (based on 2018 populations).
- 2 Populations are based on preliminary postcensal estimates for 2018 and are adjusted to follow policing boundaries. Populations according to policing boundaries for 2019 were not available in time for writing this article.
- 3 Represents the actual number of permanent, fully-sworn police officers of all ranks (or their full-time equivalents) as of May 15, 2019. Police officers on long-term leave who are not being paid by the police service's annual budget are excluded. All recruits are excluded from the number of police officers.
- 4 Based on the number of police officers on May 15, 2019 and populations for 2018. Populations are adjusted to follow policing boundaries. Populations for 2019 was not yet available when writing this article.
- 5 Percent changes are based on unrounded rates.
- 6 Represents hiring of police officers and recruits, departures of police officers and eligibility to retire of police officers during the 2018 calendar or 2018/2019 fiscal year. The percent of officers eligible to retire is calculated using these data, along with the number of full-time equivalent police officers employed on May 15, 2019.
- 7 The data in this table represents Halifax Regional Police, N.S. which has a rate of police strength of 209. However, this rate does not include the number of police officers from Royal Canadian Mounted Police (RCMP) Halifax rural which shares responsibility to police the same area. When RCMP Halifax rural officers and the population they serve are added to the calculation, the rate of police strength amounts to approximately 166 police officers per 100,000 population.
- 8 Includes Vancouver International Airport.
- 9 Langley Township, B.C. includes both Langley Township and Langley B.C.

Note: A new version of the Police Administration Survey was implemented in 2018. Data on police strength pertain to the snapshot date (May 15, 2019 for the most recent data). Additional data are available on Statistics Canada table 35-10-0077 (www.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3510007701).

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Police Administration Survey.

Date modified:

2020-12-08

SCHEDULE B

Date	Summary of Event
Jan 13 2022	Information received from OPP that a group of truckers “Freedom Convoy” to appears to be making its way from BC to Ottawa to protest government mandates related to pandemic.
Jan 24 2022	Special Events lead by Event Commander Supt. Christopher Rheaume (supported by Incident Commander Insp. Russell Lucas). - OPS Police Liaison Team (PLT) members activated (integrated with OPP PLT).
Jan 28 2022	- Freedom Convoy protesters begin to arrive in Ottawa. - OPS finalizes and approves Special Event Operational Plan.
Jan 29 2022	Blockade at Coutts, Alberta began.
Jan 31 2022	Freedom Convoy demonstration becomes an occupation as some protesters remain in Ottawa.
Feb 02 2022	OPS Meeting held with Go Fund Me.
Feb 04 2022	Supt. Jamie Dunlop assigned as Event Commander.
Feb 05 2022	- Approximately 500 trucks are now in attendance in Ottawa. - OPP temporarily implements rolling ramp closures. - Additional Public Order Officers available for deployment.
Feb 06 2022	Supt. Mark Patterson assigned as Event Commander. Mayor Watson declares State of Emergency in Ottawa. - Fuel trucks seized from JetForm Park (Coventry) and large fuel containers blocked from entering the perimeter.
Feb 07 2022	- Ontario Superior Court Justice McLean grants 10-day injunction for horn honking in relation to application brought by Zexi Li. - Fuel seizures continue. - Chief Sloly officially asks for an additional 1,800 officers.
Feb 09 2022	Operation to clear blockade at the corner of Rideau Street and Sussex Drive aborted due to insufficient resources and officer safety concerns.
Feb 10 2022	A/Supt. Robert Bernier assigned as Event Commander. - Ontario Superior Court grants request to freeze Give-Send-Go funds.

Date	Summary of Event
Feb 11 2022	• Premier Ford declares Provincial State of Emergency. • Inspector Dave Springer from OPP becomes Deputy Commander.
Feb 12 2022	• Integrated Command Table set up.
Feb 13 2022	• Negotiations between City of Ottawa (Mayor) and protesters. • Integrated Mobilization Operational Plan approved by Superintendent Bernier (OPS), Chief Superintendent Carson Pardy (OPP), and Superintendent Phil Lue (RCMP).
Feb 14 2022	• Federal Government invokes <i>Emergencies Act</i>. • Ontario Superior Court grants City of Ottawa injunction for noise, idling of trucks, fireworks, and open fires. • RCMP execute warrant in Coutts, Alberta - weapons are seized.
Feb 15 2022	• Chief Peter Sloly resigned. • Interim Chief Steve Bell appointed.
Feb 16 2022	• OPS provided leaflet to protesters, advising that protest is illegal, and protesters will be arrested and charged if they remain.
Feb 17 2022	• Eli El-Chantiry assumes role of Chair of PSB.
Feb 18 2022	• Police mobilize to clear illegal protesters from downtown area. • Access to downtown core limited as police action escalates. Check points put into place.
Feb 19 2022	• Police action continues. Downtown area effectively cleared.
Feb 20 2022	• House of Commons passes motion approving the use of the <i>Emergencies Act</i>. • Demobilization of Conroy Staging Area.
Feb 23 2022	• Federal <i>Emergencies Act</i> revoked. • Provincial State of Emergency revoked. • City of Ottawa State of Emergency revoked. • OPS check points change to observation points, but remain in place. • NCRCC stood down.
Feb 27 2022	• Maintenance and Demobilization phase of Operational Plan. • Unified Command stood down.

SCHEDULE C

SCHEDULE C

[illegible]

[illegible]

Unauthorized Poss of a Prohibited or Restricted Weapon Sec 91(2) CC																				1	1
Unlawfully Possess Schedule I Substance Sec 4 CDS Act					1			2													3
Uttering Threats/Death or Bodily Harm Sec 264.1 CC			1				1					1						1			4
Uttering Threats Property Damage Sec 264.1 CC																1					1
Total	1	3	3	6	10	1	22	9	7	2	17	3	8	192	196	34	16	2	1	533	